

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE,
THE DELAWARE ENERGY OFFICE.
THE OFFICE OF MANAGEMENT AND BUDGET
AND THE CONTROLLER GENERAL**

**IN THE MATTER OF INTEGRATED RESOURCE)
PLANNING FOR THE PROVISION OF STANDARD)
OFFER SERVICE BY DP&L POWER &)
LIGHT COMPANY UNDER 26 DEL. C. §1007(c) &)
(d): REVIEW AND APPROVAL OF THE REQUEST)
FOR PROPOSALS FOR THE CONSTRUCTION OF)
NEW GENERATION RESOURCES UNDER)
26 DEL. C. §1007(d) (Opened July 25, 2006))**

PSC DOCKET NO. 06-241

**JEREMY FIRESTONE’S MOTION SEEKING CLARIFICATION OF DELMARVA
POWER’S REPORTING REQUIREMENTS UNDER ORDER NO. 7199.**

1. In paragraph 57 of Order No. 7199, the four State Agencies “direct[ed] DP&L to report back to the State Agencies at least weekly regarding the *progress and status* of the negotiations. This has the benefit of keeping the State Agencies informed as well as making sure that negotiations are in fact taking place” (emphasis added).
2. Typical of Delmarva’s un-illuminating reporting is the following from its most recent report.

During the period ending June 25, 2007, Delmarva Power representatives continued to meet with or have teleconferences with representatives of Bluewater Wind, NRG and Conectiv. Negotiations are scheduled to continue for the next several weeks.
3. Put in the light most favorable to Delmarva, its filings can at best be considered “status” reports; they certainly provides nothing regarding the progress made at the negotiations or lack thereof and do not keep the State Agencies or the public informed in any meaningful way.

4. We had expect to receive at a minimum information regarding (a) issues discussed; (b) issues resolved; (c) issues on which progress was made; (d) issues on which no progress was made; and (e) issues yet to be discussed, without regard to the actual positions taken by the parties in the negotiations. This type of information would have allowed citizens and the State Agencies to measure whether progress was in fact being made, whether it continues to be made and the flow and pace of progress (or lack thereof) at the negotiations.
5. While we appreciate that the negotiating parties need a level of confidentiality in the negotiations—particularly in regard to the firming/back-up power given that two entities are negotiating with Delmarva—the Delmarva’s total information blackout is significantly more than is required to maintain any necessary confidentiality, is inconsistent with the plain language and intent of Order 7199, and is not in the public interest.

WHEREFORE, I RESPECTFULLY REQUEST THAT:

1. This matter be heard on July 3, 2007 along with the other matters to be heard in this and the related IRP docket.
2. This Motion be granted.
3. Delmarva Power be ordered to provide information on a weekly basis on the progress of the negotiations, including that information detailed above.

Respectfully submitted this 27nd day of June 2007,



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